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9 Attorneys for Defendant  
10 HEALTHYPETS.COM

11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
13

14 FEDERAL EXPRESS CORPORATION,

15 Plaintiff,

16 vs.

17 HEALTHYPETS.COM and DOES 1  
18 THROUGH 10, inclusive,

19 Defendant.

Case No.: C11-02481 EDL

**STIPULATION AND ~~PROPOSED~~**  
**ORDER TO CONTINUE CASE**  
**MANAGEMENT CONFERENCE**

20  
21 Plaintiff Federal Express Corporation ("Plaintiff") and Defendant HealthyPets.com  
22 ("Defendant") (jointly, the "Parties"), by and through their undersigned counsel, hereby enter  
23 into the following stipulation:

24 WHEREAS, pursuant to the Court's May 20, 2011 Notice of Setting Case Management  
25 Conference ("CMC Notice") and Rule 26 of the Federal Rules of Civil Procedure, there is a Case  
26 Management Conference scheduled for August 30, 2011 at 10:00 a.m., and the Parties' Joint  
27 Case Management Statement was due by August 23, 2011;  
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1 WHEREAS, Plaintiff completed service of the Summons and Complaint on Defendant on  
2 June 1, 2011;

3 WHEREAS, the parties have engaged in extensive settlement negotiations and stipulate  
4 that they believe that they are very close to a resolution of the instant action;

5 WHEREAS, to allow sufficient time for the parties to potentially resolve this case, and to  
6 allow the Parties sufficient time to file their initial pleadings in this matter, file a Joint Case  
7 Management Statement, and complete Initial Disclosures prior to conducting a Rule 26(f)  
8 Conference, the Parties desire to continue the case management deadlines and hearing set forth  
9 in the Court's CMC Notice for approximately 60 days;

10 NOW, THEREFORE, the Parties hereby stipulate that the Case Management Conference  
11 currently set for August 30, 2011, shall be continued until November 1, 2011 or sometime  
12 thereafter, on a date convenient for the Court. NOW, THEREFORE, the Parties hereby further  
13 stipulate that the related deadlines for conducting a Rule 26(f) Conference, filing a Joint Case  
14 Management Statement, and completing Initial Disclosures shall also be continued pursuant to  
15 the new Case Management Conference date and applicable Federal Rules of Civil Procedure.

16 IT IS SO STIPULATED

17  
18 NEVIN, RAMOS & STEELE

19  
20 DATED: August 25, 2011

21 By: /s/ Geoffrey W. Steele  
Geoffrey W. Steele

22 Attorneys for HEALTHYPETS.COM.

23 SHANE & TAITZ

24  
25 DATED: August 25, 2011

26 By: /s/ David R. Shane  
David R. Shane

27 Attorney for Plaintiff FEDERAL EXPRESS  
28 CORPORATION

1 IT IS SO ORDERED.

2 (1) The Case Management Conference currently scheduled for August 30, 2011 at  
3 10:00 a.m. is continued until November 8, 2011;  
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7 The Honorable Elizabeth D. Laporte  
8 United States Magistrate Judge  
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